

AN ACT concerning human services.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Illinois Guaranteed Job Opportunity Act  
is amended by changing Sections 10, 15, 25, 30, 35, 40, 45,  
50, 55, and 65 as follows:

(20 ILCS 1510/10)

Sec. 10. Definitions. As used in this Act:

"Department" means the Department of Commerce and  
Community Affairs.

"Eligible area" means a county, township, municipality,  
or ward or precinct of a municipality.

{a} "Participant" means an individual who is determined  
to be eligible under Section 25.

{b} "Project" means the definable task or group of tasks  
which:

(1) will be carried out by a public agency, a  
private nonprofit organization, a private contractor, or  
a cooperative,

(2) (blank), ~~will---meet---the---requirements---of  
subsection-(f)-of-Section-35,~~

(3) will result in a specific product or  
accomplishment, and

(4) would not otherwise be conducted with existing  
funds.

{c} "Director" means the Director of Commerce and  
Community Affairs ~~Director-of-Labor.~~

(Source: P.A. 88-114.)

(20 ILCS 1510/15)

Sec. 15. Establishment of program. The Department may

issue grants for the operation of projects under this Act.  
The issuance of the grants is subject to the availability of  
State or federal funds and at the discretion of the Director.  
~~Grants--shall--be--made--and--projects--shall--be--assisted--under~~  
~~this--Act--only--to--the--extent--that--funding--from--federal--sources~~  
~~is--available--for--these--purposes--From--the--sums--appropriated~~  
~~by--the--General--Assembly--for--any--fiscal--year,--the--Director~~  
~~shall--make--grants--to--Executive--Councils--established--in~~  
~~accordance--with--Section--20--for--the--purpose--of--assisting--local~~  
~~job--projects--which--meet--the--requirements--of--this--Act.~~ The  
General Assembly may appropriate funds for the purposes of  
this Section from any appropriate State source or from any  
appropriate federal source, regardless of which State agency  
is the initial recipient of the federal funds.

(Source: P.A. 88-114.)

(20 ILCS 1510/25)

Sec. 25. Program eligibility.

(a) General Rule. An individual is eligible to  
participate in the job projects assisted under this Act if  
the individual:

(1) is at least 16 years of age;

(2) has resided in the eligible area for at least  
30 days;

(3) has been unemployed for 35 days prior to the  
determination of employment for job projects assisted  
under this Act; and

(4) is a citizen of the United States, is a  
national of the United States, is a lawfully admitted  
permanent resident alien, is a lawfully admitted refugee  
or parolee, or is otherwise authorized by the United  
States Attorney General to work in the United States; and

(5) is a recipient of assistance under Article IV  
of the Illinois Public Aid Code.

(b) Limitations.

(1) (Blank). Not--more--than--2--individuals--who reside--in--any--household--may--be--eligible--for--a--job assisted-under-this-Act.

(2) (Blank). No-individual-whose-earned-income-for the-year-preceding-the-year-in-which-the-determination-of employment-under-this-Act-is-made-is--equal--to--or--more than--\$17,000,--or-who-has-a-combined-family-income-in-the year-in-which-the-determination-of-employment-under--this Act--is--made--which--is--equal-to-or-more-than-\$17,000-a year,--may-be-eligible-for-a-job-assisted-under-this-Act.

(3) No individual participating in the job opportunity project assisted under this Act may work in any compensated job other than the job assisted under this Act for more than 20 16 hours per week.

(4) Individuals Each--individual participating in the--job--project---assisted---under---this---Act---shall demonstrate,--to--the--project-manager-of-the-job-project assisted under this Act shall,--that-the-individual-sought employment-in-the-private-sector-during-the-35-days-prior to-making-application-for-employment-under-this--Act--and will--continue--to seek employment during the period of employment assisted under this Act.

(5) Any individual eligible for retirement benefits under the Social Security Act, under any retirement system for Federal Government employees, under the railroad retirement system, under the military retirement system, under a State or local government pension plan or retirement system, or any private pension program is not eligible to receive a job under a job project assisted under this Act.

(Source: P.A. 88-114.)

Sec. 30. Testing--and Education requirements. Any individual who has not completed high school and who participates in a job project under this Act may enroll, if appropriate, in and maintain satisfactory progress in a secondary school or an adult basic education or GED program. Any individual with limited English speaking ability may participate, if appropriate, in an English as a Second Language program.

{a}--Testing--Each-participant-shall-be-tested-for-basic reading--and--writing--competence--by--the-District-Executive Council-prior-to-employment-by-a-job-project--assisted--under this-Act-

{b}--Education-Requirement-

{1}---Each---participant---who---fails--to--complete satisfactorily-the--basic--competency--test--required--by subsection---{a}--of--this--Section--shall--be--furnished counseling-and-instruction-

{2}--Each-participant-in-a--job--project--assisted--under this-Act-shall,-in-order-to-continue-employment,-maintain satisfactory--progress--toward--and--receive--a-secondary school-diploma-or-its-equivalent-

{3}--Each--participant--with--limited--English---speaking ability--may--be--furnished--instruction--as-the-District Executive-Council-deems-appropriate-

(Source: P.A. 88-114.)

(20 ILCS 1510/35)

Sec. 35. Local Job Projects.

{a} General authority. The Department may accept applications and issue grants for operation of projects under this Act. Each-District-Executive-Council-shall-select-job projects-to-be-assisted-under-this--Act---Each--job--project selected--for-assistance-shall-provide-employment-to-eligible participants-

(b) Project Objection. Subject to appropriation, no more than 3 small projects may be selected to pilot a subsidized employment to Temporary Assistance for Needy Families (TANF) program for participants for a period of not more than 6 months. The selected projects shall demonstrate their ability to move clients from participation in the project to unsubsidized employment. The Department may refer TANF participants to other subsidized employment programs available through the Workforce Investment Act (WIA) One Stops or through other community-based programs. No project may be selected under this Section if an objection to the project is filed by 2 representatives appointed under subparagraph (A) of paragraph (3) of subsection (a) of Section 20 or by 2 representatives appointed under subparagraph (B) of paragraph (3) of subsection (a) of Section 20.

(c) Political affiliation prohibited. No manager or other officer or employee of a District Executive Council or of the job project assisted under this Act may apply a political affiliation test in selecting eligible participation for employment in the project.

(d) Limitations.

(1) Not more than 10% of the total expenses in any fiscal year of the job project may be used for transportation and equipment.

(2) (Blank). Not more than 10% of the individuals employed in any job project assisted under this Act may be employed to supervise a project. Individuals selected as supervisors may be selected without regard to the provisions of Section 25 and may receive wages in excess of the rate determined under Section 40. The limitation on the ratio of supervisors to employees shall not apply where more supervision of eligible participants will contribute to carrying out the objectives of this Act.

(e) Minimum Maximum hours per week employed. No eligible participant employed in a job project assisted under this Act may be employed on the project for less more than 30 32 hours per week.

(f) (Blank). Project--Progress--Reports--Each-project manager--shall--prepare--and--submit--to--the--District--Executive Council--monthly--progress--reports--on--the--job--project--assisted under--this--Act--

(Source: P.A. 88-114.)

(20 ILCS 1510/40)

Sec. 40. Benefits; supportive services; job clubs.

(a) Wages. Each eligible participant who is employed in job projects assisted under this Act shall receive wages equal to the higher of (1) the minimum wage under Section 6(a)(1) of the Fair Labor Standards Act of 1938 or (2) the minimum wage under the applicable minimum wage law, ~~or (3) the amount which the eligible participant received in welfare benefits pursuant to the State plan approved under Part A of Title IV of the Social Security Act or in the form of unemployment compensation, if applicable, plus 10% of the amount, whichever is higher.~~

(b) Benefits--Each-eligible-participant-who-is-employed in--projects--assisted--under--this--Act--shall--be--furnished benefits--and--employment--conditions--comparable--to--the--benefits and--conditions--provided--to--other--employees--employed--in similar--occupations--by--a--comparable--employer,--but No participant shall be eligible for unemployment compensation during or on the basis of employment in a project.

(c) Supportive services. Each eligible participant who is employed in projects assisted under this Act shall be eligible for supportive services as provided under rules developed by the Department,--which--may--include transportation, health care, special services--and--materials

~~for--the-handicapped, child-care-and-other-services-which-are  
necessary-to-enable-the-individual-to-participate.~~

(d) Job clubs. All participants shall participate in a job club. The project shall operate or otherwise make arrangements for each participant to participate in a job club. ~~Each-District-Executive-Council-shall-establish-for-the eligible--area-job-clubs-to-assist-eligible-participants-with the-preparation-of-resumes, the-development--of--interviewing techniques,--evaluation--of-individual-job-search-activities, and-economic-education-classes.~~

(Source: P.A. 88-114.)

(20 ILCS 1510/45)

Sec. 45. Labor standards applicable to job projects.

(a) Conditions of employment.

(1) Conditions of employment and training shall be appropriate and reasonable in light of factors such as the type of work, geographical region, and proficiency of the participant.

(2) Health and safety standards established under State and Federal law, otherwise applicable to working conditions of employees, shall be equally applicable to working conditions of participants. ~~With-respect-to-any participant-in-a-job-project-conducted-under-this-Act-who is-engaged-in-activities-which-are-not-covered-by--health and--safety--standards--under-the-Occupational-Safety-and Health-Act-of-1970,--the--Director--shall--prescribe,--by regulation,--standards-as-may-be-necessary-to-protect-the health-and-safety-of-a-participant.~~

(3) No funds available under this Act may be used for contributions on behalf of any participant to retirement systems or plans.

(b) Displacement rules.

(1) No currently employed worker shall be displaced

by any participant, including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits.

(2) No job project shall impair existing contracts for services or collective bargaining agreements, except that no job project under this Act which would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) No participant shall be employed or job opening filled when any other individual is on layoff from the same or any substantially equivalent job, or when the employer has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under this Act.

(4) No jobs shall be created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals.

(Source: P.A. 88-114.)

(20 ILCS 1510/50)

Sec. 50. Nondiscrimination.

(a) General rule.

(1) Discrimination on the basis of age, on the basis of handicap, on the basis of sex, or on the basis of race, color, or national origin is prohibited.

(2) No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any project because of race, color, religion, sex, national origin, age, handicap, or political affiliation or belief.

(3) (Blank). No-participant-shall-be--employed--on the---construction,--operation,--or--maintenance--of--any facility-used-or-to-be-used-for-sectarian-instruction--or as-a-place-for-religious-worship.

(4) With respect to terms and conditions affecting, or rights provided to, individuals who are participants in activities supported by funds provided under this Act, the individuals shall not be discriminated against solely because of their status as the participants.

(b) (Blank). Failure-To-Comply--With--Rules.---Whenever the-Director-finds-that-a-recipient-has-failed-to-comply-with subsection--(a)--of--this--Section,--or--with--an--applicable regulation-prescribed-to-carry-out-this-Section,--the-Director shall--notify-the-recipient-and-shall-request-compliance.---If within-a-reasonable-period-of-time,--not-to--exceed--60--days, the--recipient--fails--or-refuses-to-comply,--the-Director-may (1)--refer--the--matter--to--the--Attorney--General--with---a recommendation---that---an---appropriate---civil---action--be instituted,--or--(2)--take-other-action-as-may--be--provided--by law.

(c) (Blank). Referral--to--Attorney--General.---When-a matter-is--referred--to--the--Attorney--General--pursuant--to paragraph--(1)--of--subsection--(b),--or-when-ever-the-Attorney General-has-reason-to-believe-that-a-recipient-is-engaged--in a--pattern--or--practice--in-violation-of-subsection-(a),--the Attorney-General-may-bring-a-civil-action-in-any--appropriate court--of--the--State--of--Illinois--for--relief--as--may--be appropriate,--including-injunctive-relief.

(Source: P.A. 88-114.)

(20 ILCS 1510/55)

Sec. 55. Evaluation. Each project District-Executive Council shall establish-and maintain a an-evaluation file for each individual employed in-a--project--assisted--under--this

Act. These files shall be available to the Department upon request. ~~The evaluation file shall be made available to the participant monthly and shall not be available to any other person without the consent of the employee. In carrying out the provisions of this Section, each Council shall assure that the participant will be afforded the opportunity to discuss any matter contained in, or omitted from, the file.~~

(Source: P.A. 88-114.)

(20 ILCS 1510/65)

Sec. 65. Evaluation. The Department shall conduct an evaluation of the success of the projects funded under this Act. Each project shall cooperate with the Department in the collection of any data needed for the evaluation.

~~Administration.~~

~~(a) Accepting Property For Use Under This Act. The Director is authorized, in carrying out this Act, to accept, purchase, or lease in the name of the Department, and employ or dispose of in furtherance of the purpose of this Act, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services.~~

~~(b) General Administrative Authority. The Director may make grants, contracts, or agreements, establish procedures and make payments, in installments, in advance or by way of reimbursement, or otherwise allocate or expend funds under this Act as necessary to carry out this Act, including expenditures for construction, repairs, and capital improvements, and including necessary adjustments in payments on account of overpayments or underpayments.~~

~~(c) Waiver Authority. The Director may waive:~~

~~(1) the testing requirement for individuals with handicaps;~~

~~(2) the education requirement in paragraph (2) of~~

subsection-(b)-of-Section-30;-and

(3)--subject---to---a--2/3--vote--of--each--District  
Executive-Council;-the-requirement-relating-to-a--32-hour  
work--week-under-subsection-(e)-of-Section-35-for-unusual  
circumstances.

(d)--Report.--The-Director-shall-prepare--and--submit--to  
the--General--Assembly-an-annual-report-on-the-administration  
of-this-Act.--The-Director-shall-include-the-following-in-the  
report:

(1)--a-summary-of-the--achievements;-failures;-and  
problems--of--the--programs--authorized--in--this--Act-in  
meeting-the-objective-of-this-Act;-and

(2)--recommendations;-including-recommendations--for  
legislative--or--administrative--action;-as-the-Director  
deems-appropriate.

(e)--Audit.--The-Auditor-General-of-the-State-of-Illinois  
and-any-authorized-representatives-shall-have-access-for--the  
purpose--of--audit--and--examination-to-any-books;-documents;-  
papers;-and-records;-of-any-recipient-under-this-Act-that-are  
pertinent-to-the-amounts-received-and--disbursed--under--this  
Act.

(f)--Adoption---of---rules.----The---Director--may--adopt  
appropriate-rules-to-carry-out-this-Act.

(Source: P.A. 88-114.)

(20 ILCS 1510/20 rep.)

(20 ILCS 1510/60 rep.)

Section 10. The Illinois Guaranteed Job Opportunity Act  
is amended by repealing Sections 20 and 60.

Section 99. Effective date. This Act takes effect July  
1, 2003.